

SEVENTH DAY

(Monday, August 3, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Hazlewood	Moore
Moffett	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, Thou hast told us that the way of life is narrow, but the way to destruction is easy. Teach us that the easy way is not always the right way; and as Thou didst walk our way, give us grace to walk Thy way, always choosing character rather than comfort. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 30, 1959, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Moffett was granted leave of absence for today on account of illness in the family on motion of Senator Ratliff.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Crump.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
August 3, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 11 by vote of 115 ayes, 25 noes.

Motion to reconsider the vote by which House concurred in amendments was adopted and to table the motion to reconsider prevailed by a viva voce vote.

H. C. R. No. 9, Urging the preservation of the beautiful parks and recreation areas throughout the State in the consideration of expressway and highway routing by the State Highway Commission.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 34

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Judge and Mrs. Alf Roark and their sons, David and Don; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 35

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Concepcion Ackerman, Mrs. Mary

Rowe, Mr. D. N. Scott, Mrs. D. N. Scott, Mrs. Myrtle Neeper, Mrs. T. L. Hutchison, of the Spanish-American War Veterans' Auxiliary; and

Whereas. We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the Committees indicated:

By Senator Herring:

S. B. No. 19, A bill to be entitled "An Act ratifying, confirming and validating Williamson County Water Control and Improvement District No. 1 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article 16, Constitution of Texas; ratifying, confirming and validating the organization, petition, creating order, organizing minutes, surety bonds of Directors, present Board of Directors, individually and collectively, confirmation proceedings and election, exclusion proceedings, boundaries and area, bond election proceedings, bond election, plan of taxation proceedings, appointment and actions of tax assessor and collector and board of equalization, tax rolls, bond order, contracts, notices, and the proceedings and actions of the Board of Directors, and related matters; ratifying, confirming and validating all acts and proceedings of the Board of Directors except orders heretofore or hereafter repealed by said Board; ratifying, confirming and validating the bonds, sale of bonds and related matters, and providing that said bonds when approved by the Attorney General, registered by the Comptroller, and delivered to purchaser or purchasers, shall be incontestable; finding and determining that the lands and other property within said District are, and will be, benefited;

declaring District a governmental agency, body politic and corporate and municipal corporation; providing for a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Parkhouse:

S. B. No. 20, A bill to be entitled "An Act providing that effective September 5, 1960, all corporations heretofore created with purposes authorized either by subdivision 49, Art. 1302, Revised Civil Statutes of 1925, or Art. 1303b, Texas Civil Statutes, as amended (Acts 1927, 40th Legislature, page 414, Chapter 275, Section 1, as amended, Acts 1945, 49th Legislature, page 96, Chapter 67, Section 1), shall become subject to the provisions of the Texas Business Corporation Act; providing that no provision of the Texas Business Corporation Act shall affect the right of any such corporation to act as trustee; providing the method of determining the registered agent and registered office of any such corporation; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Rogers:

S. B. No. 21, A bill to be entitled "An Act amending Sub-section 16 of Section II of Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended; and declaring an emergency."

To the Committee on Public Health.

By Senator Reagan:

S. B. No. 22, A bill to be entitled "An Act to amend Section 4 of Chapter 38, Acts of the 56th Legislature, Regular Session, 1959, so as to provide that such Act shall not apply to any city or town involved in litigation questioning the legality of the incorporation or extension of boundaries at the time of the effective date of the original Act; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Secrest:

S. B. No. 23, A bill to be entitled

"An Act to amend Chapter 262, Acts of the Fifty-sixth Legislature, Regular Session, 1959, by adding a new section to be known as Section 6-A, so as to provide for an exclusion hearing for the District; enacting other provisions related to the subject; providing for annexation of land as provided by the general laws for water control and improvement districts; repealing conflicting laws to the extent of such conflict; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Concurrent Resolution 3

Senator Hardeman offered the following resolution:

S. C. R. No. 3, Providing for sine die adjournment of Third Called Session of 56th Legislature for Wednesday, August 5, 1959.

Be it Resolved by the Senate of Texas, the House of Representatives concurring, That the 3rd Called Session of the 56th Legislature do adjourn sine die at 12 o'clock noon, Wednesday, August 5, 1959.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,
August 3, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Bill 19 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. B. No. 19 was ordered not printed.

Senate Bill 19 on Second Reading

Senator Herring moved that Senate

Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 19 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Fuller	Rogers
Gonzalez	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Hazlewood	Moore
Moffett	

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 19, A bill to be entitled "An Act ratifying, confirming and validating Williamson Water Control and Improvement District No. 1, etc., and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 19 to engrossment.

Senate Bill 19 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 19 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Fuller	Rogers
Gonzalez	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Hazlewood	Moore
Moffett	

Adjournment

On motion of Senator Martin the Senate at 11:01 o'clock adjourned until 10:30 o'clock a.m. tomorrow.

Record of Vote

Senator Colson asked to be recorded as voting "Nay" on the motion to adjourn.

EIGHTH DAY

(Tuesday, August 4, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Weinert.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Hazlewood	Moffett
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Have mercy upon us, O Lord, according to Thy loving kindness and tender mercies, blot out our transgressions, and renew a right spirit within us. Let us forgive as we have been forgiven; love as we have been loved, and give as Thou hast given to us. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Kazen was granted leave of absence for today to assume his duties as Acting Governor-for-the-Day on motion of Senator Aikin.

Senator Moffett was granted leave of absence for today on account of illness in the family on motion of Senator Martin.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 24, A bill to be entitled "An Act amending Article 2614, Chapter 2 of Title 49, Revised Civil Statutes of Texas, 1925, so as to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to invest the money constituting the perpetual fund described therein, in United States Government Securities in furtherance of the interests of said College and in accordance with the terms on which is was received; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Parkhouse:

S. B. No. 25, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; providing the qualifications and compensation of the judge; providing for the jurisdiction of said court; pro-